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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3517 OF 2007

Akhtar Iqbal Chaudhari .. Applicant

V/s

State of Maharashtra .. Respondent

Mr.R.P. Mishra i/b Ms.Neena Chakravorty for the applicant.

Mr.D.P. Adsule, A.P.P. for the State.

CORAM : D.G. KARNIK, J.

DATE : 13TH DECEMBER 2007

P.C. :

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in connection with the crime under C.R. No.452/2007 registered with Sakinaka Police Station for the offences punishable under sections 323, 326, 504 read with 34 of the I.P.C.

3. The applicant is in custody since 2nd October 2007, that is for a period of more than 2 months. Perusal of the medical certificate shows that it does not record any grievous injury or a fracture. The other two co-accused have been granted bail by an order dated 9th October 2007 passed by the learned Additional Sessions Judge. Since the applicant was in custody for more than 2 months, out of which 3 days he was in police custody, the police had sufficient time for investigation of the crime. In the circumstances, the applicant is entitled to a bail. Hence, I pass the following order.

ORDER

The applicant be released on bail on executing personal bond of Rs.30,000/- with two sureties of the like amount, subject to the following conditions:-

(a) The applicant shall cooperate with the investigation and attend the police station for investigation on being summoned by the police. In addition, the applicant shall attend the police station once a month between 1st and 5th of every British calender month till the completion of the trial.

(b) The applicant shall not make any inducement nor give any threats to any of the prosecution witnesses and shall not in any manner tamper with the evidence in the case.

(D.G. KARNIK, J.)